



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,358	09/22/2003	Robert K. Emrich	10665051291.00189	4906

54327 7590 02/24/2006

ESCO CORPORATION
2141 NW 25TH AVENUE
P.O. BOX 10123
PORTLAND, OR 97210

EXAMINER

NOVOSAD, CHRISTOPHER J

ART UNIT	PAPER NUMBER
----------	--------------

3671

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3671

DETAILED ACTION

Claims 2, 11-14, 30, 31, 34, 35 and 45 have been canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 3-10, 15-29, 32, 33, 36-44 and 46-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaarlela '657.

Art Unit: 3671

Note base member 11, wear member 12 and lock 13, 16-19.

Claims 1, 3-10, 15-29, 32, 33, 36-44 and 46-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Jusselin et al. '605.

Note base member 18, wear member 20 and lock 34.

Claims 1, 3-10, 15-29, 32, 33, 36-44 and 46-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Robinson et al. '534.

Note base member 24 (Fig. 4), wear member 20 (Fig. 5) and lock 10.

Claims 1, 3-10, 15-29, 32, 33, 36-44 and 46-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Mack '063.

Note base member 14, wear member 16 and lock 100.

Claims 1, 3-10, 15-29, 32, 33, 36-44 and 46-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Fidler '810.

Note base member 14, wear member 12 and lock 48,50,52.

Claims 1, 3-10, 15-29, 32, 33, 36-44 and 46-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Robinson et al. '431.

Note base member 24, wear member 14 and lock 18,20.


Claims 1, 3-10, 15-29, 32, 33, 36-44 and 46-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Olds et al. '330.

Note base member 12, wear member 14,15 and lock 34,42,44,30,32,28,18a.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Novosad whose telephone number is 571-272-6993. The examiner can normally be reached on Monday-Thursday 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached at 571-272-6998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher J. Novosad
Primary Examiner
Art Unit 3671

February 21, 2006